

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL LYNN BRADDEN, §
Petitioner, §
v. §
NATHANIEL QUARTERMAN, Director, § Civil Action No. **3:06-CV-1682-L**
Texas Department of Criminal Justice, §
Correctional Institutions Division, §
Respondent. §

ORDER

Before the court is Bradden's Petition for Writ of Habeas Corpus, filed September 14, 2006.

Pursuant to Special Order 3-251, the petition was referred to United States Magistrate Judge Irma C. Ramirez. On November 3, 2008, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") was filed. Petitioner filed objections to the Report on November 20, 2008.

This is a habeas petition filed pursuant to 28 U.S.C. § 2254. The magistrate judge found that Petitioner is not entitled to federal habeas relief on any of the claims upon which his habeas petition is based. She recommends that the court deny the habeas petition with prejudice.

Petitioner has made several objections. Most of his objections, however, are merely a duplicative recitation of the arguments included in the petition. Because these arguments were considered by the court in its review of the petition, the court will not separately address them herein. Accordingly, the court **overrules** these objections. In his only new objection, Petitioner contends that the jury pool from which his jury panel and jury were chosen did not reflect a fair cross section of the community because the Dallas County District Attorney's Office did not want

African-Americans or Mexican-Americans to serve as jurors. This objection fails because it is not supported by the record. Moreover, Petitioner offers no evidence to support this conclusory statement. Therefore, the court **overrules** this objection.

Having reviewed the petition, file, record, and the Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses with prejudice** the writ of habeas corpus. The court **denies as moot** all remaining motions not previously ruled upon in this case.

It is so ordered this 21st day of January, 2009.



Sam A. Lindsay
United States District Judge